

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HUMAN SERVICES**

**Call to Order:** Chair David Howard, on February 11, 2011 at 3:00 PM, in Room 152  
Capitol

#### **ROLL CALL**

**Members Present:**

Rep. David Howard, Chairman (R)  
Rep. Pat Noonan, Vice Chairman (D)  
Rep. Cary Smith, Vice Chairman (R)  
Rep. Liz Bangerter (R)  
Rep. Steve Fitzpatrick (R)  
Rep. Timothy Furey (D)  
Rep. Ellie Boldman Hill (D)  
Rep. Chuck Hunter (D)  
Rep. Pat Ingraham (R)  
Rep. Dan Kennedy (R)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Joe Read (R)  
Rep. Max Yates (R)

**Members Excused:** Rep. Michael (Mike) More (R)  
Rep. Dan Skattum (R)

**Members Absent:** None

**Staff Present:** Miranda Keaster, Committee Secretary  
Sue O'Connell, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 389, 2/8/2011; HB 429, 2/8/2011

Executive Action: HB 376, HB 377, HB 312

**EXECUTIVE ACTION ON HB 376**

00:01:12 Chairman Howard

00:01:34 **Motion/Vote:** Rep. C. Smith moved that **HB 376 BE TABLED**. Motion carried unanimously by voice vote. Rep. More voted by proxy.

**EXECUTIVE ACTION ON HB 312**

00:02:10 **Motion:** Rep. C. Smith moved that **HB 312 DO PASS**.

**Discussion:**

00:02:16 Chairman Howard

00:02:20 Rep. Smith

00:02:47 Chairman Howard

00:02:51 Rep. Hunter

00:03:36 Rep. Skattum entered.

00:04:28 **Vote:** Motion carried 10-5 by roll call vote with Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting no. Rep. More voted by proxy.

**EXECUTIVE ACTION ON HB 377**

00:04:33 **Motion:** Rep. C. Smith moved that **HB 377 DO PASS**.

**Discussion:**

00:05:27 Rep. Noonan

00:05:55 **Vote:** Motion carried unanimously by voice vote. Rep. More voted by proxy.

**HEARING ON HB 389**

**Opening Statement by Sponsor:**

00:06:28 Rep. Pat Noonan (D), HD 73, opened the hearing on HB 389, Require warning label on marijuana sold for medical use.

**Proponents' Testimony:**

00:07:53 Matt Kuntz, Executive Director, National Alliance of Mental Illness (NAMI)

**EXHIBIT(huh34a01)**

00:10:18 Dr. Gary Mihelish, NAMI Montana

00:13:00 John Wilkinson, Self

00:16:16 Beth Brenneman, Disability Rights Montana

**EXHIBIT(huh34a02)**

00:17:09 Jeffrey Krott, Self  
 00:18:54 Joe Estenson, Self  
 00:19:52 Hiedi Handford, Self, Lincoln

**Opponents' Testimony:**

00:20:31 Cherrie Brady, Chair, Safe Community Safe Kids  
 00:21:00 Susan Smith, Self, Billings  
 00:21:12 Candace Payne, Rimrock Foundation  
 00:21:58 Bob Hillard, Elks, Billings  
 00:22:12 Rose Habib, Cannibus Analysis  
 00:24:00 Rep. More entered.  
 00:24:30 Steve Zabawa, Self, Billings

**Informational Testimony:**

00:25:46 Scott Montgomery, Caregiver

**Questions from Committee Members and Responses:**

00:26:59 Rep. Ingraham  
 00:27:49 Rep. Noonan  
 00:28:23 Rep. Ingraham  
 00:29:53 Rep. Noonan  
 00:30:22 Rep. Ingraham  
 00:30:32 Chairman Howard  
 00:30:44 Rep. Read  
 00:31:17 Rep. Noonan  
 00:31:40 Rep. Read

**Closing by Sponsor:**

00:31:46 Rep. Noonan

**HEARING ON HB 429**

**Opening Statement by Sponsor:**

00:32:26 Rep. Tom Berry (R), HD 45, opened the hearing on HB 429, Revise procedures related to the Medical Marijuana Act.  
 00:36:55 Rep. Cary Smith, HD 55, Co-Sponsor  
**EXHIBIT(huh34a03)**  
 00:37:43 Rep. Fitzpatrick, Rep. Noonan, and Rep. Skattum exited.  
 00:47:45 Rep. Ken Peterson, HD 46, Co-Sponsor  
 00:50:37 Rep. Fitzpatrick entered.

**Proponents' Testimony:**

00:59:55 Cherrie Brady, Chair, Safe Community Safe Kids  
 01:00:56 Mark Long, Montana Narcotics Officers Association

01:02:10 Susan Smith, Self, Billings  
01:02:36 Bob Hilliard, Elks, Billings  
01:03:18 Rick Miller, Sergeant, Lewistown Police Department  
01:06:36 Steve Zabawa, Self, Billings  
01:07:39 John Flink, Montana Hospital Association (MHA)

**Opponents' Testimony:**

01:09:23 Tawyna LaFond, Caregiver  
**EXHIBIT(huh34a04)**  
01:11:55 Hiedi Handford, Self, Lincoln  
01:14:03 Katrina Farnham, Self, Missoula  
01:17:10 Scott Montgomery, Self  
01:18:01 Rep. Furey exited.  
01:18:47 Joe Estenson, Self  
01:19:58 Jeff Swenson, Montana Cannibus  
01:20:41 Candace Payne, Rimrock Foundation  
01:22:56 William Hund, Caregiver  
01:24:00 Jack Mayes-Gentry, Self  
01:26:06 Nick Hagglund, Self  
01:26:46 Ken Lindeman, Self  
01:28:49 Jeffrey Krott, Self  
01:32:03 Jenna Wilkins, Caregiver  
01:33:11 Martha Koffler, Self, Butte  
01:34:16 Barb Trego, Medical Cannibus Patient  
01:35:30 Roxann Settera, Self, Great Falls  
01:36:45 Tyler Duncan, Self  
01:37:27 Grant Grenfell, Self  
01:38:24 Marla Synness, Self

**Informational Testimony:**

01:39:49 Mary Anne Guggenheim, Physician, Board of Medical Examiners  
**EXHIBIT(huh34a05)**  
01:43:58 Rep. Yates exited.  
01:44:17 Mary Phippen, Montana Association of Clerk's of District Court  
01:46:32 Rep. Yates entered.  
01:49:14 Rep. Kennedy exited.  
01:49:53 Rep. Noonan entered.  
01:50:23 Jonathan Polich, Police Officer, Lewistown Police Department  
01:51:28 Dr. Michael Geci, Physician, Bozeman

**Questions from Committee Members and Responses:**

01:56:08 Rep. Kennedy  
01:56:32 Rep. Smith  
01:56:43 Rep. More  
01:57:13 Rep. Berry  
01:57:31 Rep. Fitzpatrick  
01:58:43 Rep. Peterson

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| 01:59:56 | Rep. Fitzpatrick |
| 02:00:19 | Rep. Peterson    |
| 02:01:13 | Rep. Fitzpatrick |
| 02:01:47 | Rep. Peterson    |
| 02:02:39 | Chairman Howard  |
| 02:02:44 | Rep. Pease-Lopez |
| 02:03:31 | Rep. Peterson    |
| 02:04:55 | Rep. Pease-Lopez |
| 02:05:04 | Rep. Peterson    |
| 02:06:39 | Chairman Howard  |

**Closing by Sponsor:**

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| 02:06:48 | Rep. Berry |
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**ADJOURNMENT**

Adjournment: 02:08:03

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Miranda Keaster, Secretary

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**Additional Exhibits:**

**[EXHIBIT\(huh34a06\)](#)**

Additional Documents:

**EXHIBIT([huh34aad.pdf](#))**